

Richard D. McCune, SB # 132124
rdm@mwtriallawyers.com
Jae (Eddie) K. Kim, SB # 236805
jkk@mwtriallawlawyers.com
McCUNE & WRIGHT, LLP
2068 Orange Tree Lane, Suite 216
Redlands, CA 92374
Telephone: (909) 557-1250
Facsimile: (909) 557-1275

Attorneys for Plaintiffs
CLAUDIA SANCHEZ, ERIN WALKER
and WILLIAM SMITH

Sonya D. Winner, SB # 200348
David M. Jolley, SB # 191164
COVINGTON & BURLING LLP
One Front Street
San Francisco, CA 94111
Telephone: (415) 591-6000
Facsimile: (415) 591-6091
swinner@cov.com

Attorneys for Defendants
WELLS FARGO BANK, N.A. and
WELLS FARGO & CO.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLAUDIA SANCHEZ, ERIN WALKER
and WILLIAM SMITH, as individuals, and
on behalf of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY; WELLS
FARGO BANK, N.A.; and DOES 1 through
125,

Defendants.

Civil Case No.: C-07-5923 MJJ

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER TO SET CASE ON
ACTIVE STATUS**

Hon. Martin J. Jenkins

Complaint filed: November 21, 2007

1 WHEREAS, on December 28, 2007, pursuant to the Parties stipulation, the Court ordered a stay
 2 of the subject action until such time as the Court in *Smith v. Wells Fargo Bank NA*, No. GIC 802664
 3 (San Diego Superior Ct.), ruled on Plaintiff Sanchez's motion to vacate the *Smith* class action judgment.
 4 On February 1, 2008, the *Smith* Court issued its ruling, which is attached as Exhibit 1 to the Declaration
 5 of Richard D. McCune (filed concurrently).

6 Accordingly, IT IS HEREBY STIPULATED by and between the Parties that, subject to the
 7 Court's approval, this action is set on active status.

8 IT IS FURTHER STIPULATED by and between the Parties that, subject to the Court's approval,
 9 the answer or other response of defendants Wells Fargo & Co. and Wells Fargo Bank, N.A. to plaintiffs'
 10 Complaint in this action shall be due March 3, 2008, and a case management conference shall be set
 11 anytime after April 15, 2008 as the Court's schedule permits.

12
 13 DATED: February 13, 2008

COVINGTON & BURLING LLP

14
 15 By: 

David M. Jolley
 Attorneys for Defendants

16
 17
 18 DATED: February 13, 2008

McCUNE & WRIGHT, LLP

19
 20 By: 

Richard D. McCune
 Attorneys for Plaintiffs

21
 22
 23 **IT IS SO ORDERED.**

24
 25 DATED: February __, 2008

26 _____
 Hon. Martin J. Jenkins